IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 443 OF 2005

SHRI SHAKTI PRAKASH GHOSH, VASCO DA GAMA,GOA. ....Petitioner

Versus

M/S ASEA BROWN BOVERI LTD.,WEST BENGAL. ....Respondent

Mrs. Asha A. Desai(u/las),for the Petitioner.
Shri M.S. Bandodkar, Advocate for the Respondent.

Coram:- R.M.S. KHANDEPARKAR, J.

Date:- 16th February, 2006

P.C.:

The petitioner challenges the Order passed by the Industrial Tribunal dismissing the application of the petitioner, on the ground of lack of jurisdiction. Undisputedly, the subject matter of dispute and the entire cause of action arose within the territory of the jurisdiction of West Bengal i.e. at Calcutta and no cause of action arose within the territory of the jurisdiction of the State of Goa. Merely because the petitioner happens to be a resident of Goa, that cannot give jurisdiction to the Industrial Tribunal in Goa to entertain the application of the petitioner, as rightly held by the Industrial Tribunal in the impugned order. There being no jurisdictional error, the question of interference in exercise of the powers under Article 227 of the Constitution does not arise and hence the petition is rejected.

R.M.S. KHANDEPARKAR, J.

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